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**AMENDMENTS TO THE CLAIMS**

The following listings of claims replaces all prior listings of claims in the present application.

**What Is Claimed Is:**

1. (currently amended) ~~An~~ The optical disk reproducing device according to Claim 7 comprising:

~~a motor for rotating an optical disk having at least one of a first area and a second area;~~  
~~an optical head for receiving a spot light after being reflected on the optical disk;~~  
~~a signal generating section for generating a comparison reference signal from an output signal of the optical head;~~

~~a comparing section for comparing the comparison reference signal with a predetermined threshold value, and generating a comparison signal containing at least one of a first signal status corresponding to the first area and a second signal status corresponding to the second area; and~~

~~a control section for observing signal status of the comparison signal at least throughout a duration during which the spot light goes round once on the optical disk, and making a decision, based on the observed result, about in which of the first area and the second area the spot light falls, wherein~~

~~the control section makes a decision on whether the first signal status was sustained at least throughout a duration during which the spot light went round once on the optical disk, based on the observed result,~~

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~~the control section controls the optical head so as to activate a tracking servo when the control detects that the first signal status was sustained at least throughout a duration during which the spot light went round once on the optical disk, and~~

the comparing section generates the comparison signal containing both of the first signal status and the second signal status at the case that the spot light travels through the first and second areas throughout a duration during which the spot light goes round once on the optical disk.

**2. (canceled)**

**3. (canceled)**

**4. (currently amended)** The optical disk reproducing device according to Claim 4, further comprising:

a spot light moving section for moving the spot light in a radial direction of the optical disk,

wherein the control section controls the spot light moving section so as to move the spot light by a predetermined distance in the radial direction of the optical disk, whenever the second signal status was detected even only once at least throughout a duration during which the spot light went round once on the optical disk.

**5. (original)** The optical disk reproducing device according to Claim 4, wherein the control section repeats a predetermined number of times of a series of operations for moving the spot

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light by the predetermined distance by controlling the spot light moving section after initial detection of sustainment of the first signal status at least throughout a duration during which the spot light went round once on the optical disk, and controls the optical head so as to start the tracking servo only after detection of sustainment of the first signal status in all of the repetitive series of operations.

**6. (currently amended)** The optical disk reproducing device according to Claim + 17, wherein the control section stores a relative position of the spot light and the optical disk when the sustainment of the first signal status was detected, and sets the relative position as an initial position where the next irradiation of the spot light is started.

**7. (previously presented)** An optical disk reproducing device comprising:

a motor for rotating an optical disk having at least one of a first area and a second area;  
an optical head for receiving a spot light after being reflected on the optical disk;  
a signal generating section for generating a comparison reference signal from an output signal of the optical head;  
a comparing section for comparing the comparison reference signal with a predetermined threshold value, and generating a comparison signal containing at least one of a first signal status corresponding to the first area and a second signal status corresponding to the second area; and  
a control section for observing signal status of the comparison signal at least throughout a duration during which the spot light goes round once on the optical disk, and making a decision based on the observed result, about in which of the first area and the second area the spot light falls, wherein

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the signal generating section generates a bottom hold signal of the output signal from the optical head as the comparison reference signal; and

the comparing section generates the comparison signal which takes the first signal status when the comparison reference signal came short of the predetermined threshold value, and takes the second signal status when the comparison reference signal exceeded the predetermined threshold value.

**8. (currently amended)** The optical disk reproducing device according to Claim + 9, wherein

the signal generating section generates a differential signal of a top-hold signal and a bottom-hold signal of the output signal from the optical head as the comparison reference signal; and

the comparing section generates the comparison signal which takes the first signal status when the comparison reference signal exceeded the predetermined threshold value, and takes the second signal status when the comparison reference signal came short of the predetermined threshold value.

**9. (previously presented)** An optical disk reproducing device comprising:

a motor for rotating an optical disk having at least one of a first area and a second area;  
an optical head for receiving a spot light after being reflected on the optical disk;  
a signal generating section for generating a comparison reference signal from an output signal of the optical head;

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a comparing section for comparing the comparison reference signal with a predetermined threshold value, and generating a comparison signal containing at least one of a first signal status corresponding to the first area and a second signal status corresponding to the second area;

a control section for observing signal status of the comparison signal at least throughout a duration during which the spot light goes round once on the optical disk, and making a decision, based on the observed result, about in which of the first area and the second area the spot light falls; and

a threshold value generating section for detecting a peak level of the output signal from the optical head when the spot light was irradiated onto a mirror surface on the optical disk, and generating the predetermined threshold value based on a level within the peak level.

**10. (currently amended) A method of reproducing an optical disk comprising the steps of:**

rotating an optical disk having at least either one of a first area and a second area;

generating a light reception signal of a spot light reflected by the optical disk after being irradiated therewith;

generating a comparison reference signal from the light reception signal;

generating a comparison signal containing at least either one of a first signal status corresponded to the first area and a second signal status corresponded to the second area, by comparing the comparison reference signal with a predetermined threshold value;

observing signal status of the comparison signal at least throughout a duration during which the spot light goes round once on the optical disk, and making a decision, based on the observed result, about in which of the first area and the second area the spot light falls;

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generating a bottom hold signal of the light reception signal as the comparison reference signal; and

generating the comparison signal which takes the first signal status when the comparison reference signal came short of the predetermined threshold value, and takes the second signal status when the comparison reference signal exceeded the predetermined threshold value

~~determining whether the first signal status was sustained at least throughout a duration during which the spot light went round once on the optical disk, based on the observed result;~~

~~controlling the optical head so as to activate a tracking servo when the first signal status is detected as sustained at least throughout a duration during which the spot light went round once on the optical disk; and~~

~~generating the comparison signal containing both of the first signal status and the second signal status at the case that the spot light travels through the first and second areas throughout a duration during which the spot light goes round once on the optical disk.~~

11. (new) The optical disk reproducing device according to Claim 9, wherein the control section makes a decision on whether the first signal status was sustained at least throughout a duration during which the spot light went round once on the optical disk, based on the observed result.

12. (new) The optical reproducing device according to Claim 11, wherein the control section stores a relative position of the spot light and the optical disk when the sustainment of the first signal status was detected, and sets the relative position as an initial position where the next irradiation of the spot light is started.

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13. (new) The optical disk reproducing device according to Claim 9, further comprising:

a spot light moving section for moving the spot light in a radial direction of the optical disk,

wherein the control section controls the spot light moving section so as to move the spot light by a predetermined distance in the radial direction of the optical disk, whenever the second signal status was detected even only once at least throughout a duration during which the spot light went round once on the optical disk.

14. (new) The optical disk reproducing device according to Claim 13, wherein the control section repeats a predetermined number of times a series of operations for moving the spot light by the predetermined distance by controlling the spot light moving section after initial detection of sustainment of the first signal status at least throughout a duration during which the spot light went round once on the optical disk, and controls the optical head so as to start the tracking servo only after detection of sustainment of the first signal status in all of the repetitive series of operations.

15. (new) The optical disk reproducing device according to Claim 9, wherein the control section controls the optical head so as to activate a tracking servo when the control section detects that the first signal status was sustained at least throughout a duration during which the spot light went round once on the optical disk.

16. (new) A method of reproducing an optical disk comprising the steps of:

rotating an optical disk having at least one of a first area and a second area;

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generating a light reception signal of a spot light reflected by the optical disk after being irradiated therewith;

generating a comparison reference signal from the light reception signal;

generating a comparison signal containing at least one of a first signal status corresponding to the first area and a second signal status corresponding to the second area, by comparing the comparison reference signal with a predetermined threshold value;

observing signal status of the comparison signal at least throughout a duration during which the spot light goes round once on the optical disk, and making a decision, based on the observed result, about in which of the first area and the second area the spot light falls;

detecting a peak level of the light reception signal when the spot light was irradiated onto a mirror surface on the optical disk; and

generating the predetermined threshold value based on a level within the peak level.

17. (new) The optical disk reproducing device according to Claim 7, wherein the control section makes a decision on whether the first signal status was sustained at least throughout a duration during which the spot light went round once on the optical disk, based on the observed result.

18. (new) The optical disk reproducing device according to Claim 7, wherein the control section controls the optical head so as to activate a tracking servo when the control detects that the first signal status was sustained at least throughout a duration during which the spot light went round once on the optical disk.